

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff

v.

WILLIAM DAVID ALONZO,

Defendant.

2
Rule 5 Documents
CR 15-165(3)JRT/LIB
Case:2:16-mj-30015
Judge: Unassigned,
Filed: 01-13-2016 At 03:14 PM
REM USA V. WILLIAM ALONZO (LH)

GOVERNMENT'S PETITION
FOR TRANSFER OF DEFENDANT TO
ANOTHER DISTRICT AND SUPPORTING BRIEF

Pursuant to Rule 5(c)(3)(D) of the Federal Rules of Criminal Procedure, the
United States of America hereby petitions the Court for an order transferring defendant
WILLIAM DAVID ALONZO, to answer to charges pending in another federal district,
and states:

1. On January 13, 2016, defendant was arrested in the Eastern District of
Michigan in connection with a federal arrest warrant issued in the District of Minnesota
based on a Petition. Defendant is charged in that district with violations of Pretrial
Release

SCANNED

FEB 03 2016

U.S. DISTRICT COURT ST. PAUL

2. Rule 5 requires this Court to determine whether defendant is the person named in the arrest warrant and is entitled to a preliminary examination as described in Paragraph One above. See Fed. R. Crim. P. 5(c)(3)(D)(ii).

WHEREFORE, the government requests this Court to conduct transfer proceedings in accordance with Rule 5 of the Federal Rules of Criminal Procedure.

Respectfully submitted,

BARBARA MCQUADE
United States Attorney



ERIC DOEH
Assistant U.S. Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226
(313) 226-9100

Dated: January 13, 2016

UNITED STATES DISTRICT COURT
 for the
 Eastern District of Michigan

United States of America)
 v.) Case No. 16-30015
 William Alonzo)
)

APPOINTMENT OF FEDERAL DEFENDER

MULTIPLE DEFENDANT CASE

NON-ENGLISH SPEAKING

VIOLATION: Removal petition

DEFENDANT IN CUSTODY

LANGUAGE: _____

CASE TYPE: _____

The defendant has qualified for the appointment of counsel under the Criminal Justice Act.

IT IS ORDERED that the Federal Defender, 613 Abbott Street, 5th floor, Detroit, Michigan 48226, telephone (313) 967-5555, is appointed to represent this defendant in this case, unless the appointment is terminated by (1) Order of the Court, (2) appointment of substitute counsel, or (3) appearance of retained counsel.

NEXT COURT DATE: _____

Date: January 13, 2016

s/Anthony P. Patti
Judicial Officer's Signature

Anthony P. Patti, U.S. Magistrate Judge
Printed name and title

AUSA Assigned: Eric Doe

PARTIAL PAYMENT ORDER

IT IS ORDERED that partial payment be made by the defendant in the amount of \$ _____ monthly, commencing on _____, until this case is terminated or otherwise ordered by the Court. Payment shall be made to the **Clerk of the Court, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, Michigan 48226**.

Judicial Officer's Signature

Printed name and title

I hereby acknowledge that I am responsible for the partial payments and payment plan ordered by the Court.

Defendant's Signature

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

)

v.

)

Case No. 16-30015

William Alonzo

)

Defendant

)

ORDER TO DETAIN A DEFENDANT TEMPORARILY UNDER 18 U.S.C. § 3142(d)

At the time of the alleged offense, the defendant was not a United States citizen or a person lawfully admitted for permanent residence, or, alternatively, the defendant was on release pending trial for a state or federal felony; on release after conviction for any type of offense, state or federal; or on probation or parole. This court finds that the defendant, if released, may flee or pose a danger to another person or the community.

IT IS ORDERED: The defendant must be detained temporarily under 18 U.S.C. § 3142(d) until (date)
1/14/2016

The attorney for the government is directed to notify the appropriate court, probation or parole officer, state or local law enforcement officer, or the United States Citizenship and Immigration Services so that a detainer may be placed on the defendant or custody may be transferred. If no action is taken by the above date, the defendant must be brought before this court on that date for further proceedings.

Date: January 13, 2016

s/Anthony P. Patti

Judge's signature

Anthony P. Patti, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 16-30015

Honorable:

WILLIAM ALONZO,

Defendant.

/

APPEARANCE

To the Clerk of this Court and all parties of record:

Enter my appearance as Counsel in the case for Defendant. I am admitted to practice
in the Court.

Respectfully Submitted,

FEDERAL DEFENDER OFFICE
LEGAL AID & DEFENDER ASSN., INC.
Attorneys for Defendant

s/ Andrew N. Wise
613 Abbott St., 5th Floor
Detroit, MI 48226
Phone: (313) 967-5830
E-mail: andrew_wise@fd.org
P 47003

Date: January 14, 2016

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at (if blank, to be notified):

Warren E. Burger Federal Building, 316 N. Robert Street, St. Paul, MN 55101
Place

on January 28, 2016 at 2pm; Courtroom 3B
Date and Time

If blank, defendant will be notified of next appearance.

(5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

(6) The defendant is placed in the custody of _____
(See separate Agreement to Assume Custody of the Defendant).

(7) The defendant must:

(a) report, as directed, to:
 Pretrial Services.
 Probation Department.

(b) continue or actively seek employment.

(c) continue or start an education program.

(d) agree not to apply for or enter into any loan or other credit transaction without the previous written permission of the pretrial services office or supervising officer.

(e) surrender any passport to: _____

(f) not obtain a passport or other international travel documents.

(g) abide by the following restrictions on personal association, place of abode, or travel:
 Travel restricted to the Eastern District of Michigan;
 Travel restricted to the State of Michigan;
 Travel restricted to: E/D of MI and MN. No travel to Red Lake or White Earth Res.
unless I have the previous consent of the pretrial services office, supervising officer or the court.

(h) avoid all contact, directly or indirectly, with any person who is or may become a victim or witness in the investigation or prosecution, including but not limited to:
 List to be provided by U.S. Attorney;
 Other persons: _____

(i) get medical or psychiatric treatment.

(j) return to custody each (week) day at _____ o'clock after being released each (week) day at _____ o'clock for employment, schooling, or the following purpose(s):

(k) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

(l) not possess a firearm, destructive device, or other dangerous weapons.

(m) not use alcohol:
 at all.
 excessively.

(n) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(o) submit to any testing required by the pretrial services office or supervising officer to determine whether the defendant is using a prohibited substance. Testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct or attempt to obstruct or tamper with the efficiency and accuracy of any prohibited substance screening or testing.

(p) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

(q) participate in one of the following location restriction programs and comply with requirements as directed: by Pretrial Services

(i) **Curfew.** You are restricted to your residence every day:
 from 11:00 p.m. to 06:00 a.m., or
 as directed by the pretrial services office or supervising officer; or

(ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the pretrial services office or supervising officer; or

(iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the court.

(r) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

You must pay all or part of the cost of the programs based upon your ability to pay as the pretrial services office or supervising officer determines:

(i) Location monitoring technology as directed by the pretrial services office or supervising officer;

(ii) Radio Frequency (RF) monitoring;

(iii) Passive Global Positioning Satellite (GPS) monitoring;

(iv) Active Global Positioning Satellite (GPS) monitoring (including "hybrid" (Active/Passive) GPS);

(v) Voice Recognition monitoring.

(s) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning or traffic stops.

(t) Resolve outstanding warrant within 180 days; Reside at bond address.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

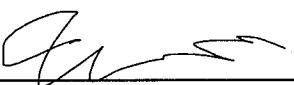
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

City and State

Directions to the United States Marshal

The defendant is ORDERED released after processing.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: January 14, 2016

s/Anthony P. Patti
Judicial Officer's Signature

Anthony P. Patti, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America)
 v.)
) Case No. 16-30015
WILLIAM DAVID ALONZO)
Defendant)

APPEARANCE BOND

Defendant's Agreement

I, WILLIAM DAVID ALONZO (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- to appear for court proceedings;
- if convicted, to surrender to serve a sentence that the court may impose; or
- to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- (1) This is a personal recognizance bond.
- (2) This is an unsecured bond of \$ 10,000.
- (3) This is a secured bond of \$ _____, secured by:
 \$ _____ in cash deposited with the court.
- (b) the agreement of the defendant and each surety to forfeit the following cash or other property
(describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

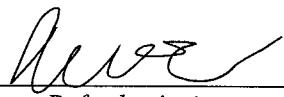
Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: January 14, 2016


Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Date: January 14, 2016

DAVID J. WEAVER, CLERK OF COURT

s/Michael Williams

Signature of Clerk or Deputy Clerk

Approved.

Date: January 14, 2016

s/Anthony P. Patti

Judge's signature

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

F I L E D
JAN 21 2016
CLERK'S OFFICE
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff, CR. NO. 16-30015

v.

HONORABLE ANTHONY P. PATTI

WILLIAM ALONZO,

Defendant.

ORDER FOR TRAVEL EXPENSES

Upon the application of Defendant, William Alonzo, for travel expenses, pursuant to 18 U.S.C. § 4285, and the Court being aware of Defendant's indigence;

IT IS HEREBY ORDERED that the U.S. Marshal furnish Defendant William Alonzo with non-custodial transportation from Detroit, Michigan to St. Paul, Minnesota for purposes of appearing in court on **January 28, 2016 at 2:00 p.m.**

[Signature]
HONORABLE ANTHONY P. PATTI
United States Magistrate Judge

Entered: 1/21/16

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

William David Alonso
Defendant

) Case No. 16-30015

) Charging District:

) Charging District's Case No.

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: St. Paul, MN

Courtroom No.: 33

Date and Time: 1/28/16 @ 2:00 p.m.

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 1-14-16

ANTHONY P. PATTI

Judge's signature

ANTHONY P. PATTI

UNITED STATES MAGISTRATE JUDGE

Printed name and title

F I L E D
JAN 14 2016
CLERK'S OFFICE
DETROIT

CLOSED

**U.S. District Court
Eastern District of Michigan (Detroit)
CRIMINAL DOCKET FOR CASE #: 2:16-mj-30015-DUTY All Defendants**

Case title: United States of America v. Alonzo

Date Filed: 01/13/2016

Other court case number: 15-165 District of Minnesota

Assigned to: Magistrate Judge
Unassigned

Defendant (1)

William David Alonzo

represented by **Federal Defender**

Federal Defender Office
613 Abbott
5th Floor
Detroit, MI 48226
313-967-5542
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Andrew N. Wise
Federal Defender Office
613 Abbott
5th Floor
Detroit, MI 48226
313-967-5830
Email: andrew_wise@fd.org
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated CountsDisposition

None

Highest Offense Level (Terminated)

None

ComplaintsDisposition

Rule 5(c)(3) from District of Minnesota

Plaintiff**United States of America**represented by **Eric Doe**

U. S. Attorney
211 W. Fort Street
Suite 2001
Detroit, MI 48226-3211
313-226-9569
Fax: 313-226-3265
Email: eric.doe@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: U.S. Attorney

Date Filed	#	Docket Text
01/13/2016	<u>1</u>	PETITION for Transfer under Rule 5(c)(3) by United States of America as to William David Alonzo (1). (LHos) (Entered: 01/13/2016)
01/13/2016	<u>2</u>	¶ Audio File of Initial Appearance as to William David Alonzo held on 01/13/2016 before Magistrate Judge Anthony P. Patti. AUDIO FILE SIZE (4.8 MB) (LHos) (Entered: 01/13/2016)
01/13/2016		Minute Entry for proceedings before Magistrate Judge Anthony P. Patti: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to William David Alonzo held on 1/13/2016. Detention and Removal Hearing set for 1/14/2016 01:00 PM. Disposition: Defendant Ordered Temporarily Detained.(Court Reporter: Digitally Recorded) (Defendant Attorney: James Gerometta) (AUSA: Eric Doe) (MWil) (Entered: 01/13/2016)
01/13/2016	<u>3</u>	ORDER APPOINTING FEDERAL DEFENDER as to William David Alonzo. Signed by Magistrate Judge Anthony P. Patti. (Ahmed, N) (Entered: 01/14/2016)

01/13/2016	<u>4</u>	ORDER OF TEMPORARY DETENTION as to William David Alonzo Signed by Magistrate Judge Anthony P. Patti. (Ahmed, N) (Entered: 01/14/2016)
01/14/2016	<u>5</u>	NOTICE OF ATTORNEY APPEARANCE: Andrew N. Wise appearing for William David Alonzo (Wise, Andrew) (Entered: 01/14/2016)
01/14/2016	<u>6</u>	• Audio File of Proceeding Part 1 of 2 as to William David Alonzo held on 01/14/2016 before Magistrate Judge Anthony P. Patti. AUDIO FILE SIZE (228.8 KB) (LHos) (Entered: 01/15/2016)
01/14/2016	<u>7</u>	• Audio File of Proceeding Part 2 of 2 as to William David Alonzo held on 01/14/2016 before Magistrate Judge Anthony P. Patti. AUDIO FILE SIZE (5.4 MB) (LHos) (Entered: 01/15/2016)
01/14/2016		Minute Entry for proceedings before Magistrate Judge Anthony P. Patti: Removal Hearing as to William David Alonzo NOT HELD on 1/14/2016. Disposition: Defendant Release on \$10,000 Bond. Ordered Transferred to other District.(Court Reporter: Digitally Recorded) (Defendant Attorney: Andrew Wise) (AUSA: Eric Doeh) (MWil) (Entered: 01/17/2016)
01/14/2016	<u>8</u>	ORDER Setting Conditions of Release as to William David Alonzo. Signed by Magistrate Judge Anthony P. Patti. (Ahmed, N) (Entered: 01/19/2016)
01/14/2016	<u>9</u>	BOND as to William David Alonzo in the amount of \$10,000.00 unsecured entered. (Ahmed, N) (Entered: 01/19/2016)
01/14/2016	<u>11</u>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to William David Alonzo: (Ahmed, N) (Entered: 01/25/2016)
01/21/2016	<u>10</u>	ORDER FOR TRAVEL EXPENSES as to William David Alonzo--Signed by Magistrate Judge Anthony P. Patti. (MWil) (Entered: 01/21/2016)
02/03/2016		TEXT-ONLY NOTICE to District of Minnesota of Transfer as to William David Alonzo. Your case number is: 15-165. Using your PACER account, you may retrieve the docket sheet and any unrestricted documents and text-only entries. Please note the following documents: <u>9</u> Bond, <u>1</u> Rule 5(c)(3) Petition for Transfer Proceedings, <u>11</u> Docket Annotation, <u>10</u> Order, <u>8</u> Order Setting Conditions of Release (If you require sealed documents or certified copies, please send a request to InterDistrictTransfer_mied@mied.uscourts.gov) (LHos) (Entered: 02/03/2016)

PACER Service Center			
Transaction Receipt			
02/03/2016 16:08:45			
PACER Login:	MinnDist:4406639:0	Client Code:	clerks office

Description:	Docket Report	Search Criteria:	2:16-mj-30015-DUTY
Billable Pages:	2	Cost:	0.20